

ADMINISTRATIVE SERVICES DEPARTMENT[11]

Adopted and Filed Without Notice

Pursuant to the authority of Iowa Code section 8A.413, the Department of Administrative Services hereby amends Chapter 57, "Appointments," Iowa Administrative Code.

This amendment reflects a change in and clarification of the rescinding of an appointment when an employee has been disqualified or removed by the appointing authority. The appropriate administrative remedy for this type of action is being corrected.

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation prior to the adoption of this amendment are impracticable because these changes are noncontroversial.

This amendment shall become effective September 30, 2009.

This amendment is intended to implement Iowa Code section 8A.413.

The following amendment is adopted.

Amend rule 11—57.9(8A) as follows:

11—57.9(8A) Rescinding appointments. If, after being appointed, it is found that an employee should have been disqualified or removed as provided for in these rules, the ~~director~~ appointing authority may rescind the appointment. An employee with permanent status may file a grievance in accordance with 11—Chapter 61. ~~An employee with permanent status may appeal the director's decision to the public employment relations board. The appeal must be filed within 30 calendar days after the date the director's decision was issued. Decisions by the public employment relations board constitute final agency action.~~

[Filed Without Notice 8/5/09, effective 9/30/09]

[Published 8/26/09]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/26/09.